

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JUAN CARLOS VARGAS-GARCIA,

Defendant.

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8:13CR275

ORDER

This matter is before the court on the motion for an extension of time by defendant Juan Carlos Vargas-Garcia (Vargas-Garcia) (Filing No. 43). Vargas-Garcia seeks a sixty-day extension of time in which to file pretrial motions pursuant to paragraph 3 of the progression order. Defense counsel represents to the court that counsel for the government has no objection to the extension. Upon consideration, the motion will be granted.

**IT IS ORDERED:**

Defendant Vargas-Garcia's motion for an extension of time (Filing No. 43) is granted. Vargas-Garcia is given until **on or before November 26, 2013**, in which to file pretrial motions pursuant to the progression order. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **the time between September 26, 2013, and November 26, 2013**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendants' counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 26th day of September, 2013.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge